

Authority: Toronto and East York Community Council Item 29.5, as adopted by
City of Toronto Council on November 30, December 1, 2, 4 and 7, 2009
Enacted by Council: January 27, 2010

CITY OF TORONTO

BY-LAW No. 100-2010

To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands municipally known as 469 and 471 Merton Street.

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*; and

WHEREAS the owner of the lands hereinafter referred to has elected to provide the facilities, services and matters, as hereinafter set forth;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. None of the provisions of Sections 6(2) 15, 6(3) Part I 1, 6(3) Part II 5, 6(3) Part II 6, of Zoning By-law No. 438-86 of the former City of Toronto, being "A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto", as amended, shall apply to prevent the erection and use of an addition to an existing private elementary school, including uses *accessory* thereto, on the *lot* provided:
 - (1) the *lot* consists of the lands delineated by heavy lines on Map 1 attached to and forming part of this By-law;
 - (2) the maximum *non-residential gross floor area* of any buildings erected on the *lot* shall not exceed 1,433 square metres;
 - (3) the enrolment shall not exceed 150 full-time equivalent students that may be in attendance on the campus at any one time;
 - (4) no portion of any building above finished ground level is located otherwise than wholly within the areas delineated by heavy lines on Map 2 attached to and forming part of this By-law, except for cornices, lighting fixtures, awnings, ornamental elements, parapets, trellises, eaves, window sills/surrounds, guardrails, balustrades, railings, stairs, stair enclosures, wheelchair ramps, vents, underground garage ramps and their associated structure, fences, screens, and landscape and public art features;
 - (5) no person shall erect or use a building or structure on the *lot* having a greater *height* in metres than the *height* in metres specified by the numbers following the symbol H on the attached Map 2;

- (6) a minimum of 5 *parking spaces* shall be provided and maintained on the *lot*;
- (7) no parking shall be permitted within any portion of the driveway that extends along the east property line; and
- (8) the owner shall incorporate, in the construction of the building, exterior materials generally as shown on the north and east elevation drawings.

2. Definitions:

For the purposes of this By-law, the terms set forth in italics have the same meaning as such terms have for the purposes of By-law No. 438-86, as amended.

- 3.** Section 13 of By-law No. 438-86 shall be amended by adding, 'By-law No. 100-2010' respecting 469 and 471 Merton Street.

ENACTED AND PASSED this 27th day of January, A.D. 2010.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)



